

STATE LAW LIBRARY OF MONTANA

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Legislative History – Montana Session Law

Chapter: 183 Session L: 1999
Bill Number: HB 125

Checklist of Bill History

History and Final Status Sheet	☒
Introduced Bill	☒
Fiscal Note	☒
Third Reading Bill	☐
Final Version of Bill	☐

House

Committee: Education

Hearing Date(s): 1/15/1999

Committee Report: 1/18/1999

Senate

Committee: Education and Cultural Resources

Hearing Date(s): 3/8/1999

Committee Report: 3/18/1999

Conference Committee

Hearing Date(s):

Conference Committee Report:

Compiler Notes

Compiled by: SK Marshall

Date: 10/1/2025

Notes: The law library does not hold audio tapes of hearings. Any tapes preserved would be held by the Montana Historical Society.

Thank you!



AN ACT RELATING TO LIBRARIES AND LIBRARY SYSTEMS; SPECIFYING INTERLIBRARY LOANS NOT ELIGIBLE FOR REIMBURSEMENT; AUTHORIZING THE STATE LIBRARY COMMISSION TO ADOPT RULES; MODIFYING THE DEFINITION OF "LIBRARY FEDERATION" AND ADDING PARTIES WHO MAY CONTRACT FOR THE FORMATION OF LIBRARY FEDERATIONS; REQUIRING LIBRARY FEDERATIONS TO SUBMIT ANNUAL PLANS FOR THE EXPENDITURE OF STATE FUNDS; AMENDING SECTIONS 22-1-328, 22-1-330, 22-1-402, 22-1-404, AND 22-1-413, MCA; AND PROVIDING EFFECTIVE DATES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 22-1-328, MCA, is amended to read:

"22-1-328. State interlibrary loan program -- reimbursement -- eligibility. (1) Each Montana library eligible for reimbursement under this section for participation in the statewide interlibrary loan program must be reimbursed according to the rules adopted by the commission.

(2) Libraries eligible for interlibrary loan reimbursement under this section include public libraries, libraries operated by public schools or school districts, libraries operated by public colleges or universities, libraries operated by public agencies for institutionalized persons, and libraries operated by nonprofit, private medical, educational, or research institutions.

(3) Notwithstanding subsections (1) and (2), the following types of interlibrary loans are not eligible for reimbursement:

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Section 2. Section 22-1-330, MCA, is amended to read:

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- (1) the distribution of state aid to public libraries on a per capita and per square mile basis, for;
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- (3) reimbursement for interlibrary loan lending;
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- (5) the composition of the library federation board of trustees, as provided in 22-1-404."

Section 3. Section 22-1-402, MCA, is amended to read:

"22-1-402. Library systems -- definition. (1) Library systems must include library federations or library networks.

(2) (a) A library federation is a combination of libraries serving a multicounty, multicity, or city-county area within a federation area designated by the state library commission. Any other public, school, special, college, or university library or town, city, or county within the federation area may participate in a federation.

(b) Two or more cities, towns, or counties, or a city and one or more counties; or school, special, college, or university libraries may agree by contract to form a federation by action of their respective governing bodies or duly created boards of library trustees, ~~provided that~~ if one of the parties is or maintains a library that has been designated by the state library commission as a headquarters library for that federation area. The participating entities may retain the autonomy over their respective libraries ~~that~~ specified in the contract.

(c) The expense of providing library services for the library federation must be based on funds received from the state or participating libraries as agreed upon in the contract. The funds of the federation must be maintained as a separate account as provided in the contract. Participating libraries shall transfer semiannually to the account all money collected for the federation in their respective jurisdiction.

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(2) The librarian of the headquarters library shall serve as the coordinator of the federation and as a nonvoting member of the federation advisory board of trustees."

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Section 6. Effective dates. (1) [Section 2 and this section] are effective on passage and approval.

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- END -

I hereby certify that the within bill,
HB 0125, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2019.

President of the Senate

Signed this _____ day
of _____, 2019.

1 HOUSE BILL NO. 125

2 INTRODUCED BY R. JOHNSON

3 BY REQUEST OF THE STATE LIBRARY COMMISSION

4
5 AN ACT RELATING TO LIBRARIES AND LIBRARY SYSTEMS; SPECIFYING INTERLIBRARY LOANS NOT
6 ELIGIBLE FOR REIMBURSEMENT; AUTHORIZING THE STATE LIBRARY COMMISSION TO ADOPT RULES;
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11

Exported Data

Date	Action	Committee	Votes (Yes)	Votes (No)	Media
03/30/99	Chapter Number Assigned				
03/26/99	(H) Signed by Governor				
03/24/99	(H) Transmitted to Governor				
03/23/99	(S) Signed by President				
03/23/99	(H) Signed by Speaker				
03/23/99	(C) Printed - New Version Available				
03/22/99	(H) Returned from Enrolling				
03/22/99	(H) Sent to Enrolling				
03/20/99	(S) Returned to House				
03/20/99	(S) 3rd Reading Concurred		42	0	
03/20/99	(S) Scheduled for 3rd Reading				
03/19/99	(S) 2nd Reading Concurred		44	0	
03/19/99	(S) Scheduled for 2nd Reading				
03/18/99	(S) Committee Report--Bill Concurred	(S) Education and Cultural Resources			
03/18/99	(S) Committee Executive Action--Bill Concurred	(S) Education and Cultural Resources	8	0	
03/08/99	(S) Hearing	(S) Education and Cultural Resources			
01/28/99	(S) Referred to Committee	(S) Education and Cultural Resources			
01/28/99	(S) First Reading				
01/27/99	(H) Transmitted to Senate				
01/27/99	(H) 3rd Reading Passed		88	10	
01/27/99	(H) Scheduled for 3rd Reading				
01/26/99	(H) 2nd Reading Passed		88	10	
01/26/99	(H) Scheduled for 2nd Reading				
01/20/99	(H) Committee Report--Bill Passed as Amended	(H) Education			
01/20/99	(H) Committee Executive Action--Bill Passed as Amended	(H) Education	17	1	
01/15/99	(H) Hearing	(H) Education			
01/07/99	(H) Fiscal Note Printed				
01/07/99	(H) Fiscal Note Signed				
01/05/99	(H) Fiscal Note Received				
01/04/99	(H) Referred to Committee	(H) Education			

Date	Action	Committee	Votes (Yes)	Votes (No)	Media
01/04/99	(H) First Reading				
01/04/99	(H) Fiscal Note Requested				
12/21/98	(C) Introduced Bill Text Available Electronically				
12/21/98	(H) Introduced				
12/09/98	(C) Pre-Introduction Letter Sent				
12/09/98	(C) Draft in Assembly/Executive Director Review				
12/08/98	(C) Draft in Final Drafter Review				
12/08/98	(C) Bill Draft Text Available Electronically				
12/08/98	(C) Draft in Input/Proofing				
12/08/98	(C) Draft to Drafter - Edit Review [JLN]				
12/08/98	(C) Draft in Edit				
12/07/98	(C) Draft in Legal Review				
11/21/98	(C) Draft to Requester for Review				
11/19/98	(C) Draft On Hold				
11/10/98	(C) Draft On Hold				
09/23/98	(C) Draft Request Received				

FISCAL NOTE

Bill #: HB0125

Title: Revise library system laws

Primary

Sponsor: Royal Johnson

Status: As introduced

Sponsor signature	Date	Dave Lewis, Budget Director	Date
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Fiscal Summary

	<u>FY2000 Difference</u>	<u>FY2001 Difference</u>
Expenditures:	0	0
Revenue:	0	0
Net Impact on General Fund Balance:	0	0

<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>	
	X	Significant Local Gov. Impact		X	Technical Concerns
	X	Included in the Executive Budget		X	Significant Long-Term Impacts

Fiscal Analysis

ASSUMPTIONS:

1. The primary purpose of the bill is to clarify existing law.
2. All grant money for interlibrary loans and federations will be distributed based on Administrative Rules.
3. There is no fiscal impact to the State Library Commission.

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

The bill may have a negligible effect on schools within the same district that loan to each other and submit these loans to the State Library for reimbursement.

HOUSE BILL NO. 125

INTRODUCED BY JOHNSON R

BY REQUEST OF THE STATE LIBRARY COMMISSION

A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO LIBRARIES AND LIBRARY SYSTEMS; SPECIFYING INTERLIBRARY LOANS NOT ELIGIBLE FOR REIMBURSEMENT; AUTHORIZING THE STATE LIBRARY COMMISSION TO ADOPT RULES; MODIFYING THE DEFINITION OF "LIBRARY FEDERATION" AND ADDING PARTIES WHO MAY CONTRACT FOR THE FORMATION OF LIBRARY FEDERATIONS; REQUIRING LIBRARY FEDERATIONS TO SUBMIT ANNUAL PLANS FOR THE EXPENDITURE OF STATE FUNDS; AMENDING SECTIONS 22-1-328, 22-1-330, 22-1-402, 22-1-404, AND 22-1-413, MCA; AND PROVIDING EFFECTIVE DATES."

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(b) a loan between an elementary school library and a high school library located within school districts with overlapping school district boundaries;

(c) a loan between libraries within a library system, as defined in 22-1-402, administered by a public or private nonprofit college or university; and

(d) a loan between libraries administered by a public library."

Section 2. Section 22-1-330, MCA, is amended to read:

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Section 3. Section 22-1-402, MCA, is amended to read:

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2 **Section 4.** Section 22-1-404, MCA, is amended to read:

3 **"22-1-404. Board of trustees -- coordinator.** (1) In a library federation, there ~~shall~~ must be a board of
4 trustees with advisory powers only, the operation of the library federation having been specified by contract. The
5 ~~board of trustees of each participating library shall name one of their members to the federation advisory board~~
6 ~~of trustees, and each participating entity without a duly appointed library board shall name a layman to represent~~
7 ~~that entity on the library federation board of state library commission, provided for in 22-1-101, shall adopt rules~~
8 governing the composition of the federation board of trustees. A majority of the members of each federation
9 board of trustees must be trustees of a public library, as defined in 22-1-326.

10 (2) The librarian of the headquarters library shall serve as the coordinator of the federation and as a
11 nonvoting member of the federation advisory board of trustees."
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13 **Section 5.** Section 22-1-413, MCA, is amended to read:

14 **"22-1-413. Administration by Montana state library commission.** The Montana state library
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19 commission shall submit annual plans for the expenditure of state funds and report semiannually to the
20 commission concerning the progress of the various projects for which state funding was received, ~~which. The~~
21 reports ~~shall~~ must contain an accounting for all state funds received."
22

23 NEW SECTION. **Section 6. Effective dates.** (1) [Section 2 and this section] are effective on passage
24 and approval.

25 (2) [Sections 1 and 3 through 5] are effective October 1, 1999.

26 - END -

HOUSE BILL NO. 125

INTRODUCED BY R. JOHNSON

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A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO LIBRARIES AND LIBRARY SYSTEMS; SPECIFYING INTERLIBRARY LOANS NOT ELIGIBLE FOR REIMBURSEMENT; AUTHORIZING THE STATE LIBRARY COMMISSION TO ADOPT RULES; MODIFYING THE DEFINITION OF "LIBRARY FEDERATION" AND ADDING PARTIES WHO MAY CONTRACT FOR THE FORMATION OF LIBRARY FEDERATIONS; REQUIRING LIBRARY FEDERATIONS TO SUBMIT ANNUAL PLANS FOR THE EXPENDITURE OF STATE FUNDS; AMENDING SECTIONS 22-1-328, 22-1-330, 22-1-402, 22-1-404, AND 22-1-413, MCA; AND PROVIDING EFFECTIVE DATES."

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7 MODIFYING THE DEFINITION OF "LIBRARY FEDERATION" AND ADDING PARTIES WHO MAY CONTRACT
8 FOR THE FORMATION OF LIBRARY FEDERATIONS; REQUIRING LIBRARY FEDERATIONS TO SUBMIT
9 ANNUAL PLANS FOR THE EXPENDITURE OF STATE FUNDS; AMENDING SECTIONS 22-1-328, 22-1-330,
10 22-1-402, 22-1-404, AND 22-1-413, MCA; AND PROVIDING EFFECTIVE DATES.

11

HOUSE OF REPRESENTATIVES

EDUCATION COMMITTEE

ROLL CALL

DATE 1/15/98

NAME	PRESENT	ABSENT	EXCUSED
Rep. Chrmn. Gay Ann Masolo	X		
Rep. Vice Chr.Maj.Bob Lawson	X		
Rep. Vice Chr.Min.Linda McCullough	X		
Rep. Joan Andersen	X		
Rep. Tom Facey	X		
Rep. Dan Fuchs	X		
Rep. Kim Gillan	X		
Rep. Kathleen Galvin-Halcro	X		
Rep. John Holden	X		
Rep. Sam Kitzenberg	X		
Rep. Monica Lindeen	X		
Rep. Jeff Mangan	X		
Rep. Joe McKenney	X		
Rep. Mark Noennig	X		
Rep. Bill Rehbein		X	
Rep. Sam Rose	X		
Rep. Allan Walters	X		
Rep. Diana Wyatt	X		

MONTANA HOUSE OF REPRESENTATIVES VISITORS REGISTER

DATE 1/15/99

BILL NO. 125

SPONSOR(S) Rep. Royal Johnson

TYPE
PROPONENT (P) OPPONENT (O) INFORMATIONAL (I)

PLEASE PRINT

PLEASE
CIRCLE

NAME

ADDRESS

REPRESENTING

☒ POI	Lois Fitzpatrick		MT. Library Assn.
☒ POI	Janice Bradley		Lewistown Pub Lib / MT. Lib. Assn.
☒ POI	Niki Whearty		Helena High School Lib.
☒ POI	Cheryl Green		Rosebud Co. Library
☒ POI	Kathy McGowan	34 W. Sixth Ave.	mt Lib Assn.
☐ POI	Don WALDRO	Helena	MREA
☒ POI	Shelia Stearns	Dillon	WMC-UM MUSystem
☒ POI	Cindy Christin	Bozeman	Bozeman Public Library
☒ POI	Inga Nelson	Helena	MFT
☐ POI			
☐ POI			
☐ POI			
☐ POI			
☐ POI			

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

MONTANA HOUSE OF REPRESENTATIVES VISITORS REGISTER

DATE 1/15/99

BILL NO. 145

SPONSOR(S) Rep. Gay Ann Masolo

TYPE
PROPONENT (P) OPPONENT (O) INFORMATIONAL (I)

PLEASE PRINT

PLEASE
CIRCLE

	NAME	ADDRESS	REPRESENTING
POI			
☒ POI	Anne Perkins	2690 Mitchell Gde E. Helena MT	myself - member of Helena School Board
☒ POI	Erik Burke	Helena	Gov. Office
POI	Bill Cooper	"	OPI
☒ POI	Joyce A Scott		OCH E
☒ POI	Joan Schmitt	Fairfield	MSBA
POI	Eric [unclear]	Helena	MEA/MFT
☒ POI	Ben Darrow	Helena	ASUM
POI	Don Waldron	" "	MREA
☒ POI	Don [unclear]	Helena	SAM
☒ POI	Wayne Buchanan	Helena	BPE
☒ POI	LANCE MELTON	HELENA	MSBA
☒ POI	Sheela Stearns	Dillon	WMC - UM MUS
☒ POI	HAL Stearns	"	Univ of Mt Campuses

OPPOSE MARY SHEENY MOE

CRAIG

SELF

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS
ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

FISCAL NOTE

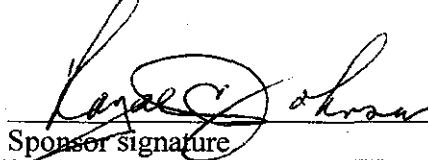
Bill #: HB0125

Title: Revise library system laws

Primary

Sponsor: Royal Johnson

Status: As introduced

 1/7/99 Date
Dave Lewis, Budget Director 1-5-99 Date

Fiscal Summary

	<u>FY2000 Difference</u>	<u>FY2001 Difference</u>
Expenditures:	0	0
Revenue:	0	0
Net Impact on General Fund Balance:	0	0

<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>	
	X	Significant Local Gov. Impact		X	Technical Concerns
	X	Included in the Executive Budget		X	Significant Long-Term Impacts

Fiscal Analysis

ASSUMPTIONS:

1. The primary purpose of the bill is to clarify existing law.
2. All grant money for interlibrary loans and federations will be distributed based on Administrative Rules.
3. There is no fiscal impact to the State Library Commission.

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

The bill may have a negligible effect on schools within the same district that loan to each other and submit these loans to the State Library for reimbursement.

HB 125

Amendments to House Bill No. 125
1st Reading Copy

Requested by Representative R. Johnson

For the Education Committee

Prepared by David Niss
January 9, 1999

1. Page 1, line 28.

Strike: "within a library system, as defined in 22-1-402,"

- END -

LEGISLATIVE TAPE LOG

COMMITTEE:

Educ. HB 125

DATE:

1/15/99

MINUTES

CONTENT NOTES

-04-

125 & 145

-12-

opening by Gayal on HB 125

-55-

*

proponents

Karen Struge - State Librarian
woman? end 128° didn't sign in - had to
dig to find name

-132-

Nicki? Nicki Uhearty #1
teacher
end 169

-171-

Janice Bradley #2
Librarian
end 248

-252-

Kathy McHewen
lobbyist for 600 librarians by Mt
end 264

-266-

opponents

-275-

guests

ending 330

-333-

Sponsor closing

-336- closed

-356-

opening HB 145 by Gay Ann Masolo
end - 398

LEGISLATIVE TAPE LOG

COMMITTEE:

Educ. HB 145

DATE:

MINUTES

CONTENT NOTES

-406- proponents

flip tape 506

Erick Burke
representing Kachet office #3 & #4
end 605

-606-

Bill Cooper - O.P.I. #5
end 629

-632-

Joan Schmidt -
MSBA -
NSRA end 697

-699-

Joyce Scott
Dep. of Higher Educ.
end 717

-719-

Sheila Stemas - Western Nat. Coll
end - 738-

-739-

Hal Stemas
WotM
28 yrs. of teaching

-825-

Mr. Buchanan end 834

-837-

Ann Perkins
Delena Sch. Bd.
end 8

Change tape II

Mr. Feaver
end 08

LEGISLATIVE TAPE LOG

COMMITTEE:

Educ. HB 145

DATE:

MINUTES

CONTENT NOTES

012

Loran Frazier
School Admin

#6

016

Lance Melton

end 25

*

opponents

#7

#8

27

Shaney Mae
Mary Shekell

- T.O.Y.

#9

end 123

127

information

#10

129

questions end

← 380 →

closing Mazola

end 421

458

← Exec. Session →

37 Guilici's amendment

90 Hageneers

flip 490 →

lots of discussion

Facey moved for DO PASS

discussion -

question - HB 90 + 2 absentees

unanimous

Reinbeck - yes

Noennig - yes

Wyatt - yes

January 15, 1999

TO: Members of the House Education Committee

FROM: Niki Whearty, Librarian
Helena High School

RE: Support for HB 125

I wish to express my support for HB 125, which proposes to amend current Montana statutes in order to clarify eligibility for interlibrary loan reimbursement, to provide for modifications in the Library Federation governance and membership structure, and to adjust the State Library Commission's rulemaking authority.

As a school librarian, I am especially supportive of efforts to clarify eligibility for interlibrary loan reimbursement. The proposed amendment to MCA 22-1-328 would stipulate that school libraries within the same school district would not apply for reimbursement from the statewide interlibrary loan program for the library materials they share among themselves. In the Helena School District, as with many school libraries across Montana, it has been our practice to freely borrow and lend materials without claiming reimbursement of costs through the state interlibrary loan program. Many school districts already have active delivery systems for shipping supplies and instructional materials from school to school and building to building. In places where no such system exists, less formal delivery methods help to alleviate or eliminate postage costs.

The proposed change to the current law seeks to provide consistent policies among libraries and to honor the spirit of cooperation that exists among all libraries across Montana. We can make requests for materials from libraries in Wolf Point, Wibaux and Whitehall with the confidence that it will not deplete their own budget to extend assistance to us. We lend to other schools in our district without charging or requesting reimbursement because it is, from my perspective, the responsible thing to do.

These proposed amendments are workable and fair. I urge you to support them.

Nicole G. Whearty

EXHIBIT #1
DATE 1/15/99
HB 145

Chair Ahner and Committee members

My name is Janice Bradley and I am Director of the Lewistown Public Library in Lewistown, Montana. The Library serves not only the community of Lewistown but also the rest of Fergus County as well as many people from the surrounding counties.

I am also the Federation coordinator for the SouthCentral Federation, one of six Library Federations in Montana. The SouthCentral Federation encompasses 11 counties in south central Montana and 15 public libraries are members of the Federation.

I serve on the State Library Law Revision Task Force which is the group that originally recommended to the State Library Commission that these changes needed to be made.

I am here today to testify in support of HB 125 to revise library systems laws. This bill has five sections, each one asks to change current law as it pertains to different issues in the library community.

1) 22-1-328 - State interlibrary loan program - reimbursement - eligibility.

- I favor this change. We need to insure that this pool of money is used to reimburse legitimate ILL claims.

2) 22-1-330 Commission rulemaking authority

- As an active Federation member and now a Federation coordinator I have worked with the State Library Commission for over five years. Although the membership of the Commission has substantially changed the people on the Commission have been open-minded and fair people who want what is best for Montana's libraries.

EXHIBIT # 2
DATE 1/15/99
HB 125

- For reasons that elude me the Commission has rule-making authority over all money that goes to the Federations with the exception of the base grants. The bulk of the federation money is under their administrative rules control.
- For consistency and so the State Library Commission can carry out the mandate given them in 22-1-103(5) which says "serve as the agency of the state to accept and administer any state, federal, or private funds or property appropriated for or granted to it for library service or foster libraries in the state and establish regulations under which funds must be disbursed" I am very much in favor of the State Library Commission having rule-making authority over the base grants.

3) 22-1-402 Library systems - definition

- This section merely expands Library Federations so they include ALL Montana libraries, not just public libraries.
- We are all in the information business and the more we collaborate and cooperate with one another the bigger "bang for the buck" we get
- By all being members of a Federation we have another venue in which discussions among all librarians can be promoted and make truly effective collaboration and cooperation a reality

4) 22-1-404 Board of trustees - coordinator

- What we are asking for here is to again give the State Library Commission rule-making authority over the establishment of an Advisory Board for each Federation, rather than spell out how these Boards must be formed

- You will notice however, that the change does include specifying that a majority of the Board members must be from public libraries.
- The reason for this specification is because there is money allocated to public libraries through the Federation system. A majority of the Board members need to be from public libraries, so if there are expense issues that come up that might be contrary to public libraries' needs they would be in a position to control the vote.

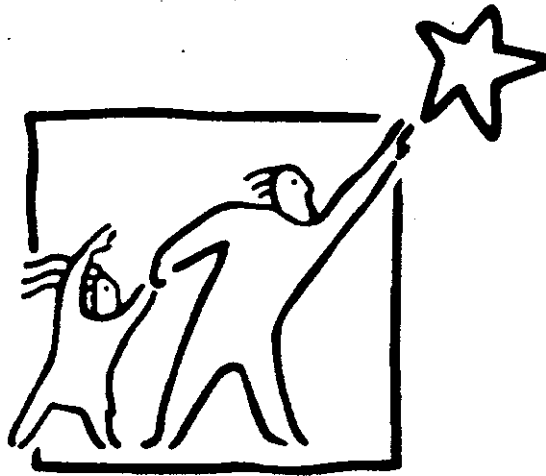
5) 22-1-413 Administration by Montana state library commission

- Again, this section is giving the Commission rule-making authority over the distribution of funds, so that these sections are all consistent.
- The second change merely puts language in the law that explains what is currently being done - submitting an annual report that clearly outlines how the federations plan to use their money.

I ask that you support this "housekeeping" bill which allows the library community to operate in ways that are most advantageous to all Montana library patrons.

Ellis SAUC

EXPLORING RAPID ACHIEVEMENT GAINS IN NORTH CAROLINA AND TEXAS



NATIONAL
EDUCATION
GOALS
P A N E L

EMBARGOED Until 11/5/98

Exhibit # 6
From Loran Frazier
The full exhibit is available from:
Montana Historical Society Archives
225 North Roberts
PO Box 201201
Helena, MT 59602-1201
Phone: (406) 444-4775

igan

37 pges



Lessons
from the States

EXHIBIT #6
DATE 11/15/99
HB 125

HOUSE OF REPRESENTATIVES

EDUCATION COMMITTEE

ROLL CALL

DATE 1/18/99

NAME	PRESENT	ABSENT	EXCUSED
Rep. Chrmn. Gay Ann Masolo	X		
Rep. Vice Chr.Maj.Bob Lawson	X		
Rep. Vice Chr.Min.Linda McCullough	X		
Rep. Joan Andersen	X		
Rep. Tom Facey	X		
Rep. Dan Fuchs	X		
Rep. Kim Gillan	X		
Rep. Kathleen Galvin-Halcro	X		
Rep. John Holden	X		
Rep. Sam Kitzenberg	X		
Rep. Monica Lindeen	X		
Rep. Jeff Mangan	X		
Rep. Joe McKenney	X		
Rep. Mark Noennig	X		
Rep. Bill Rehbein	X		
Rep. Sam Rose	X		
Rep. Allan Walters	X		
Rep. Diana Wyatt	X		

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE
EDUCATION COMMITTEE

2nd Amendmt.

DATE 1/18/99 BILL NO. # 21 NUMBER

MOTION: passed 10 to 7

NAME	AYE	NO
Rep. Vice Chair. Maj. Bob Lawson	X	
Rep. Vice Chr. Min. Linda McCullough	X	
Rep. Joan Andersen		X
Rep. Tom Facey	X	
Rep. Dan Fuchs	X	
Rep. Kim Gillan		X
Rep. Kathleen Galvin-Halcro	X	
Rep. John Holden		X
Rep. Sam Kitzenbery	X	
Rep. Monica Lindeen	X	
Rep. Jeff Mangan		X
Rep. Joe McKenney	X	
Rep. Mark Noennig	X	
Rep. Bill Rehbein		X
Rep. Sam Rose		X
Rep. Allan Walters	X	
Rep. Diana Wyatt		X
Rep. Chrmn. Gay Ann Masolo	X	

11 - 7

Kitzenberg called for vote

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE
EDUCATION COMMITTEE

DATE _____ BILL NO. HB 21 NUMBER _____

MOTION: _____ DO PASS as amended

4-14 failed

NAME	AYE	NO
Rep. Vice Chair. Maj. Bob Lawson		X
Rep. Vice Chr. Min. Linda McCullough		X
Rep. Joan Andersen		X
Rep. Tom Facey		X
Rep. Dan Fuchs		X
Rep. Kim Gillan		X
Rep. Kathleen Galvin-Halcro		X
Rep. John Holden		X
Rep. Sam Kitzenbery	X	
Rep. Monica Lindeen	X	
Rep. Jeff Mangan		X
Rep. Joe McKenney		X
Rep. Mark Noennig		X
Rep. Bill Rehbein	X	
Rep. Sam Rose		X
Rep. Allan Walters		X
Rep. Diana Wyatt	X	
Rep. Chrmn. Gay Ann Masolo		X

Bob Lawson moved to table
Discussion via Connie about tabling



HOUSE OF REPRESENTATIVES

ROLL CALL VOTE EDUCATION COMMITTEE

DATE 1-18-99 BILL NO. 37 NUMBER

MOTION: To table

NAME	AYE	NO
Rep. Vice Chair. Maj. Bob Lawson		
Rep. Vice Chr. Min. Linda McCullough		X
Rep. Joan Andersen	X	
Rep. Tom Facey	X	
Rep. Dan Fuchs	X	
Rep. Kim Gillan		X
Rep. Kathleen Galvin-Halcro		X
Rep. John Holden	X	
Rep. Sam Kitzenbery		X
Rep. Monica Lindeen		X
Rep. Jeff Mangan		X
Rep. Joe McKenney	X	
Rep. Mark Noennig	X	
Rep. Bill Rehbein	X	
Rep. Sam Rose	X	
Rep. Allan Walters	X	
Rep. Diana Wyatt		X
Rep. Chrmn. Gay Ann Masolo	X	

11 - 7

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE EDUCATION COMMITTEE

DATE 1/18/99 BILL NO. Resolution to NUMBER _____
MOTION: AB 37

NAME	AYE	NO
Rep. Vice Chair. Maj. Bob Lawson	abs.	
Rep. Vice Chr. Min. Linda McCullough	X	
Rep. Joan Andersen	X	
Rep. Tom Facey	X	
Rep. Dan Fuchs	X	
Rep. Kim Gillan	X	
Rep. Kathleen Galvin-Halcro	X	
Rep. John Holden	X	
Rep. Sam Kitzenbery	X	
Rep. Monica Lindeen	X	
Rep. Jeff Mangan	X	
Rep. Joe McKenney	X	
Rep. Mark Noennig	X	
Rep. Bill Rehbein	X	
Rep. Sam Rose	X	
Rep. Allan Walters	X	
Rep. Diana Wyatt	X	
Rep. Chrmn. Gay Ann Masolo	X	

adjournment 5:15

Yea on table motion

I vote No on HB37

No on ^{am 4} Resolution on HB37

Bill Rehbein.

COMMITTEE PROXY

Date _____

I request to be excused from the House Education Committee
 Committee meeting this date because of other commitments. I
 desire to leave my proxy vote with Maden Chien.

Indicate Bill Number and your vote Aye or No. If there are
 amendments, list them by name and number under the bill and
 indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT AYE NO

HB 242		X
HB 236	X	
HB 21		X
HB 37		X
HR 103	X	
HR 125	X	
HR 141	X	
HJ 1		X

SENATE BILL/AMENDMENT AYE NO

Rep. _____

(Signature)

HR:1991
 wp/proxy

Y | N
 |||| | ||||
 ||||

MONTANA HOUSE OF REPRESENTATIVES VISITORS REGISTER

DATE 1/18/99

BILL NO. 236

SPONSOR(S) Rep. Joe Barnett

TYPE
PROPONENT (P) OPPONENT (O) INFORMATIONAL (I)

PLEASE PRINT

PLEASE
CIRCLE

NAME

ADDRESS

REPRESENTING

☒ POI	Colleen Graham	Helena	MSBA
☐ POI	Don Waldron	Helena	MREA
☐ POI	Frank Brown	Walla	
☐ POI			
☐ POI			
☐ POI			
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PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

MONTANA HOUSE OF REPRESENTATIVES VISITORS REGISTER

DATE 1/18/99

BILL NO. 242

SPONSOR(S) Rep. Rick Jone

TYPE
PROPONENT (P) OPPONENT (O) INFORMATIONAL (I)

PLEASE PRINT

PLEASE
CIRCLE

NAME

ADDRESS

REPRESENTING

P ☒ O I	Eric Fleaver	Helena	MEA/MFT
P ☒ O I	COLLEEN GRAHAM	Helena	MSBA
P ☒ O I	Bill Cooper	Helena	OPI
P ☒ O I	Don Wadlow	Helena	AREA
P ☒ O I	Roger Koopman	Bozeman	MT Trustees of Freedom
P ☒ O I	Frank Frazee	Helena	SHM
P ☒ O I	Christin Kaufmann	Helena	MHRV
P ☒ O I	Lynda Brannon	Helena	MASBO + IISM
P O I			
P O I			
P O I			
P O I			
P O I			
P O I			

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

LEGISLATIVE TAPE LOG

COMMITTEE:

DATE:

MINUTES

CONTENT NOTES

008

236 + 242

opening by Rep. Barnett

requires approval of both school boards
to transfer territory between districts
end 63

-65-

*

proponents

Harry Erickson -

Belgrade Superintendent
end 91

-93-

Deb Thornhill -

- end - 127

-129-

Jerry Vandermann

end 152

-154-

Mr. Gramm

end 163

-165-

Rep Frank Smith

end 185

-198-

*

opponents

Info-

Don Waldron

exhibit #1

end 226

229

Questions

Rose, Reibem, Noennig, Kitzenberg, Holden,
Reibem,

276

flip
512

closing →

protection of property

closing 516

authority w/o account-
ability
w/o responsibility
Captive Customer was
wrong on Bill
w/in Univ. system
so why isn't this!

LEGISLATIVE TAPE LOG

COMMITTEE:

Educ. 1/18/99

DATE:

HB 242

MINUTES

CONTENT NOTES

520

opening 242 Rick Rep Joe

Challenging the state's authority to
force parents to put their children into
school -

authority of parents ultimately #2
for children, parents delegate this
authority to the state! #3

end - 695

701 -

*

proponents

(Roger) Coogan Coopman

President Mt. Trustees of Freedom #4

formed w/in the last 2 months -

end 892

opponents *

Mr. Melton

end 27

Lynda Brannon

end 42

Boel
McCooper - Deputy OPI

end 54

-085-

Mr. Frazier

end 114

-116-

Kristeen Kaufman

end 164

-166-

Eric Feaver

end 181

-185-

*

Questions - Rose, Reibman, Facey,
fiscal note?
McCullough,

public benefits
from proper
authority -

closing 426 - Jore - end 516 flip 2 Tape
remarks end 544

the more education
schooling = the more in earning power

(2)

LEGISLATIVE TAPE LOG

COMMITTEE:

Educ. 1/18/99

DATE:

Executive Session

MINUTES

CONTENT NOTES

56

HB 125 Sam Kitzenberg moved the bill
Fuch - amendments (discussion)
McCallough - moved as amended
amendment voted / passed unanimously
on

HB 125 McCullough moved HB 125
as amended
Fuch - nyr
Passed 17-1

HB 21 Kitzenberg - moved to pass
1st amendments - via Connie

-598-

Facey explains amendment
(question)
vote on 1st Amend - McKenney - nyr - visual count
2nd amendment - Pavlovich amendment
Holden - clarification please

700

Vote on 2nd
AMEND

11 to 7

Holden 1
Bose 2
Reinholt 3
Hillman 4

Mangan 5
Wright 6
Anderson 7

Mangan - problem to bill

LEGISLATIVE TAPE LOG

COMMITTEE:

Educ. 1/18/99

DATE:

Exec. Session

MINUTES

CONTENT NOTES

McKenny - no

812

Noennig - Noennig Amendment
propose amendment to bill
passed unanimously

Anderson
no

as mended

Kitzenberg

- problems & questions
not a perfect
I like it - it addresses Mt. lacks our needs
for Montana

-881-

Walters -

lowest in salary

" " keeping kids as loans
we are taxing people right out of the state

-913-

Rose

-939-

Linden

-942-

Noennig - revised fiscal note

McCallough - goes to approp.

-965-

Masalo -

question called by Kitzenberg
DO PASS AS AMENDED
motion failed 4-14

Tape 3 tables motion - Lawton

LEGISLATIVE TAPE LOG

COMMITTEE:

Educ. 1/18/99

DATE:

Executive Session

MINUTES

CONTENT NOTES

Tape 3 - 56

13 yes

tabled

HB 21

Nye - Anderson ✓

Kotzenberg ✓

Dee ✓

Walters ✓

Weyatt ✓

13/5

Quilici's

HB 37

Walters - move to table

move to table

took a roll call vote 11-7

Mangan

any discussion

Hilda vote for this

McCullough → vote for this

Masala → vote for this

question → Mangan FOR HJR Restoration later

Roll call vote

unanimous to

* Resolution

was called

3/4 vote 13.5 people

Motion to ^{request} draft a comm. bill

Connie to do this

Mazolo signs - then logged into

the system

Connie then goes to Mazolo to be

reintroduced as HJR in the future

DATE _____

3/8/99

[illegible]



MONTANA STATE SENATE

+++++ WITNESS STATEMENT +++++

NAME Sandy Boehmler

ADDRESS 1229 Jackson

HOME PHONE: (406) 549-4124 WORK PHONE: _____

REPRESENTING myself

APPEARING ON WHICH PROPOSAL ? HB 301

DO YOU: SUPPORT _____ OPPOSE ☒ AMEND _____

COMMENTS:

I believe that we need to meet the special needs of speech, language and hearing impaired children in Montana. As a speech-language pathologist I am very troubled that HB.301 would permit unqualified individuals to inappropriately attempt treatment to impaired children & could lead to magnifying these children's problems. Inappropriate treatment allowed by this bill can be worse than no treatment. We need to solve the problems of school districts who have been unable to hire speech-language pathologists & audiologists. This bill is not an appropriate solution to this problem.

PLEASE LEAVE PREPARED STATEMENT WITH
COMMITTEE SECRETARY



MONTANA STATE SENATE

+++++ WITNESS STATEMENT +++++

NAME Brandy Bradshaw

ADDRESS 709 A Mantle Dr. Belgrade, MT 59714

HOME PHONE: 406-388-7356 WORK PHONE: 406-388-6508

REPRESENTING Audiology & Speech Pathology

APPEARING ON WHICH PROPOSAL ? HB 301

DO YOU: SUPPORT _____ OPPOSE X AMEND _____

COMMENTS:

As a recent graduate in the field of
Audiology I strongly oppose HB 301. I was
in no way prepared to practice Audiology
at the end of my graduate studies. The
undergraduate program is intended to
prepare a student for graduate study not
to work.

PLEASE LEAVE PREPARED STATEMENT WITH
COMMITTEE SECRETARY



MONTANA STATE SENATE

+++++ WITNESS STATEMENT +++++

NAME Jennifer Hartze, MS, Audiologist

ADDRESS 1008 N. 7th Ave. Bozeman

HOME PHONE: 388-4060 WORK PHONE: 586-0914

REPRESENTING Speech Pathology & Audiology

APPEARING ON WHICH PROPOSAL ? HB301

DO YOU: SUPPORT OPPOSE X AMEND

COMMENTS:

I strongly oppose this bill because undereducated people would be providing services to children & adults. As an audiologist with a master's degree, I know from experience how little knowledge a person w/ only an undergraduate degree have in treating communication disabilities. Although there are areas in our state that have been unable to hire professionals for services, hiring unprepared individuals to treat disabilities will only cause more problems. These schools should develop more attractive packages to prospective employees rather than sacrificing services for children.

PLEASE LEAVE PREPARED STATEMENT WITH
COMMITTEE SECRETARY



MONTANA STATE SENATE

+++++ WITNESS STATEMENT +++++

NAME Doris Boehmter

ADDRESS 3125 Old Pond Rd - Missoula

HOME PHONE: 406-549-3421 WORK PHONE: _____

REPRESENTING Children of Montana who are ^{language} speech disabled
H. B.

APPEARING ON WHICH PROPOSAL ? Bill 301

DO YOU: SUPPORT _____ OPPOSE ☒ AMEND _____

COMMENTS:

Speech services should be provided by
licensed speech, language & hearing Therapists
& Audiologists.

PLEASE LEAVE PREPARED STATEMENT WITH
COMMITTEE SECRETARY

Witness Statement

MEMO

DATE: MARCH 8, 1999

TO: SENATE EDUCATION COMMITTEE MEMBERS

FROM: *Susan* SUSAN PEDERSEN, M.S., CCF, SPEECH/LANGUAGE PATHOLOGIST

RE: HOUSE BILL 301

Currently, I am a Speech/Language Pathologist working in my Clinical Fellowship Year for Helena School District # 1. I completed my M.S. Degree in Communication Disorders at Minot State University in July of 1998.

I began my career in Speech/Language Pathology after graduating with a B.S. Degree in 1973 from the University of North Dakota (terminal program) with more than 250 hours of practicum experience. After considerable time away from my career of choice, I became employed as a speech aide for Helena School District #1. This position gave me the opportunity to work under the supervision of licensed Speech/Language Pathologists, and later proved to be very valuable and instrumental in my decision to enter graduate school.

I do understand the circumstances that B.A. or B.S. individuals are faced with and the rural areas that desperately need help for those students that are communicatively impaired. In some situations I thought I was very capable of carrying out the numerous duties of an SLP. (I related this confidence to my terminal degree program requirements). But, in other instances, such as working with severely multi handicapped individuals, my training was inadequate.

In summary, I felt I had the best possible scenario an individual could have, i.e., many clinical practicum hours and licensed SLP's to consult. To be successful in our profession, an SLP needs to have a broad knowledge in the areas of cleft palate, aphasia, dysphagia, studies in the severely multi handicapped, phonology, advanced language, neurology based speech disorders, advanced audiology, advanced stuttering, early intervention, voice disorders, assessment, diagnosis, treatment, and studies in current research. All of the aforementioned are taught at the graduate level.

The profession of Communication Disorders is committed to excellence, and to ensure that consumers are receiving quality services, a Master's Degree should continue to be mandatory when filling our schools' positions, since B.S. Degrees are no longer terminal programs and offer very few hours of practicum experience.

Witness Statement

March 2, 1999

To whom it may concern:

I am writing to oppose House Bill 301. I feel that lowering the standards for licensed Speech Pathologists and Audiologists would not be beneficial to both the educational profession and Montana's children.

I work as a Special Education teacher at a Montana public school, and work closely with our Speech Pathologist. I recognize the extra hours that she puts into her job, weekly. I feel that a new Pathologist, licensed under House Bill 301, would not be able to give the extra hours needed to do the job, due to the proposed need to complete the Master's program within a 3 year period. Nor, would she have enough experience, practical or curriculum, to professionally serve children with varied speech and language needs. A Bachelor's Degree, which includes at least 50% general subject courses, such as math, biology, logic, history, will in no way prepare a individual to be a Speech Pathologist. The children that Pathologists work with are all so unique. Each child needs an individualized program which requires extensive knowledge and practicum experience on the part of the Pathologist. A Bachelors Degree will not offer enough courses, or a practicum experience, to qualify them for this position.

Furthermore, the House Bill, if passed, would not satisfy the need for more licensed Pathologists/Audiologists in this state. It would be practically impossible for an individual to work full time in a Montana facility, while pursuing a Masters degree and practicum in another state (Montana does not have any institutions that offer a B.A. or M.A. in Speech Pathology/Audiology). This would cause a large turn around in these job positions due to the difficulty in fulfilling the M.A. requirement while employed in a Pathologist/Audiologist position.

My greatest concern is children. Their needs are far to complex and important to be compromised, by lowering the standards by which an individual may be licensed. Please consider my thoughts and think about the effects this will have on our children.

Sincerely,

Lois Mason-Gilbert

Lois Mason-Gilbert
Special Educator

Witness Statement

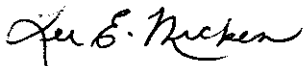
Testimony of: Lee E. Micken, Audiologist
Micken Hearing Services
Bozeman

RE: HB 301

Date: March 8, 1999

A March 2, 1999 article in the Bozeman Daily Chronicle articulates the national shortage of top administrators in the public schools and specifically addresses the difficulty that district has had in filling the position of the office of special education director which was vacated nearly a year ago. The difficulty blames low salaries which, unfortunately, seem to be an undisputed fact of life in Montana for a majority of trades and professions. Don't think for one minute that the Bozeman School District is going to lower its standards, entrusting the care and future of children with special needs to an unqualified individual in order to fill an empty office. As has been reiterated by other testimony the level of education, clinical experience and training and supervision proposed in this bill are woefully and unequivocally inadequate to provide the needed services. The speech- and hearing-impaired children in Montana deserve better; they should be given no less consideration and no lesser quality *professional* services than any other public school population.

Thank you for your consideration.



Lee E. Micken, M.A.
Audiologist

Witness Statement

Karen C. Lowry, M.A.-C.C.C.
Speech/Language Pathologist
115 White Basin Court
Kalispell, MT 59901

March 5, 1999

Dear Senate Education Committee Members,

I would like to express to you my concerns regarding House Bill 301, which is now before your committee. This bill has been written with good intentions to help relieve the difficulties faced by school districts and special education cooperatives in the eastern, more rural areas of Montana in locating and hiring qualified, licensed speech/language pathologists to provide services. These concerns are great because of the extremely high correlation between communication abilities and the ability to learn, to benefit from educational opportunities. These considerations become even more critical with the new requirements placed on the educational system with the reauthorization of IDEA at the federal level and its implementation at state and local levels.

Montana schools are mandated to meet the needs of communicatively impaired students in receiving a full and complete education. As rules and regulations change and special educational dollars are stretched tighter and tighter, speech/language pathologists in the schools find themselves serving caseloads consisting of very significantly impaired students. Because of this, it is important to note that most Communication Science and Disorders programs are designed to be completed as graduate level programs. BA level programs require graduates to complete only 25 hours of practicum, and many require no practicum. They are designed to provide a basic knowledge of communication disorders, with higher levels of technical and practicum training completed through graduate level studies. Most BA level CSD programs require minimal training in evaluation and diagnosis. Tests and measurement, statistics, research, and design are taught at the graduate level.

BA level CSD programs do not teach students how to design treatment plans, which, by law, require addressing educational/curricula implications. BA level programs are not designed to train students to participate as viable members of multi-disciplinary educational teams. These skills are critical in providing school-based speech/language therapy services, and in assisting teachers and schools in meeting the educational needs of speech and language impaired students.

I feel that it is important to note here that the qualification standards of other school professionals are not sacrificed in order to fill job openings. School districts do not hire BA level administrators, nor do they hire teachers with 2 year certificates. When the legislature decided several years ago to close the Communication Sciences and Disorders program at the University of Montana, it became apparent that schools would need to seek qualified speech/language pathologists through advertising over a much wider area of search. Montana speech-language pathologists and audiologists have lobbied for years to have a CDS program reinstated to alleviate the present shortage of qualified SLPs and Audiologists. In the long run, the state of Montana may need to take responsibility for educating and training professionals to provide qualified speech/language and audiology services in this state, not continuing to depend on other states, where shortages of qualified professionals also exist, to educate and train professionals to meet the needs of Montana.

If you were to place yourself in the shoes of the many Montana taxpaying parents whose speech/language impaired children require qualified, competent professional services to meet their educational needs in the schools, would you expect to place your child in the care of untrained, basically unsupervised personnel in the schools? I thank you for taking the time to consider my input in this extremely important decision making process.

Sincerely,

Karen C. Lowry

Witness Statement

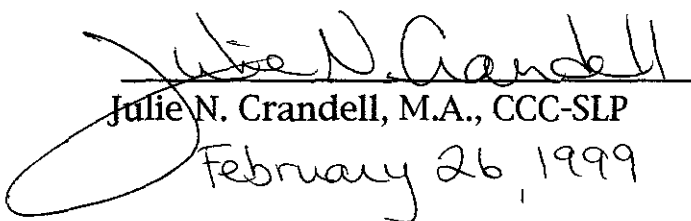
To: Bob Keenan, John Harp, Arnie Mohl and
Senate Education Committee Members

From: Julie Crandell, M.A., CCC-SLP
2277 Mission Way
Kalispell, MT 59901

re: House Bill 301

This is a letter to voice my concerns with the bill that would allow schools and other facilities in Montana to hire a B.A. level student as a speech-language pathologist (SLP). It is required by our national association, ASHA, that an SLP complete a specified number of practicum hours training under the supervision of certified SLP's. As a person with a B.A. degree, these hours have not been completed. A B.A. level individual is required to have only 20 hours of observation with no hands on experience. This B.A. level person, then, does not have the clinical background to perform required duties and responsibilities adequately including assessment, interpretation of results, plan development (goals and objectives), and implementation of the plan. An initial training prior to an actual working experience will not provide the amount of experience needed to be a clinician with adequate skills. In addition, I understand that it is not stated in the bill as to the minimum course requirements for this individual to have completed at the masters level. Most masters level courses form the fundamental basis upon which actual therapy and assessment are developed. It would also be beneficial to consider whether it is ethical to provide services that are untrained and lacking the required knowledge to adults and children who are in need.

I have been working in the public schools here in Montana for 6 1/2 years including my clinical fellowship year of training. The training I received as a master level student as well as the clinical fellowship year that followed, was indeed highly beneficial and necessary in order to perform services adequately and I feel, legally sound. Having a basic knowledge of language development and speech science does not promote beneficial and appropriate service. I urge you to consider these issues when discussing House Bill 301 and do not pass it into law.


Julie N. Crandell, M.A., CCC-SLP

February 26, 1999

DATE

3/8/99

SENATE COMMITTEE ON

Education

BILLS BEING HEARD TODAY:

HB 304, HB 125, HB 301

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
DON WALDRON	443-2629	MREA	304 125 301	☒	☒
Joan Goldstein	449-4929	MT Speech & Hearing SELF Association	301		(Witness only) ☒
Dick Boehmler	544-3421	self	301		☒
Sandy Boehmler	549-4124	self	301		☒
MARY OLSON	449-3446	self			☒
Kathleen Dolezel	442-1999	Self	301		☒
Kate Stetson	496-2005	State School District	304	☒	
Dick Cannon	367-7777	Hankin Schools	304	☒	
Carol Loae	458-6171	self	301		☒
Beverly Pickett	437- ⁸²⁸⁷ 6660	self	301		☒
Sharon Ingers	442-2516	SAAC	HB 304 HB 301		
Bill Coover	444-7362	OPI	301 304	☒	
LANCE MELTON	442-2180	MSBA	301 304	☒	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

DATE

3/8/99

SENATE COMMITTEE ON

Education

BILLS BEING HEARD TODAY:

HB 304, HB 125, HB 301

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Dona McNeil		SAMSON School	304	X	
Kathy McFarlan		mt Lib Assn.	125	X	
Jeanne Tweeter		School Librarian	125	X	
Kim Stueve		State Library	125	X	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

DATE

3/8/99

SENATE COMMITTEE ON

Education

BILLS BEING HEARD TODAY:

HB 304, HB 125, HB 301

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Theresa Skinner	385-4609	Bd of Sp Path & Audiology	301		X
Linda Solem	755-7442	Board Speech Path / Audio	301		X
Lynn Harris	329-7347	Board of Sp/Lang Path / and Audio	301		X
Teri Bean	443-4583	Board of Speech/Lang Path / Audio	301		X
Dee Turner	443-3945	Mont. Speech/Lang. Hearing Assoc	301		X
Laurel Micken	587-8511	Micken Hearing Services	301		X
Lu Micken	586-0914	Micken Hearing Services	HB 301		✓
Brandy Bagshaw	388-7356	Gallatin-Madison Special Education Coop	HB 301		X
Jeff Griffin	327-6571	Board member Cascade Audiology	HB 301		X
JUDITH GOSNELL-LAMO	278-7558	BIG SKY SPEC. NEEDS Coop	HB 301	X	
KITTY GRIFFIN	683-9219	MT Speech & Hearing Assoc	HB 301		X
Sandy Meegh	791-2289 OK 468-2760 km	MT Speech/Hearing Assoc	HB 301		X
Dale Lamm	353-2299	Harker Schools	HB 301	X	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

LEGISLATIVE TAPE LOG

COMMITTEE:

Senate Education

DATE:

3/8/99

MINUTES

CONTENT NOTES

3:00 p.m.

Opening on HB 304
Rep. Mark Noernig, HD 9, Billings

Proponents
1.8 Lance Helton, MSBA
Kate Helton, Dept. Schools in Battle EXHIBIT 1

Opponents
None

Questions
4.9 Hea - Noernig

Closing
Mr. Mark Noernig

Opening on HB 125
Rep. Royal Johnson, HD 9, Billings

Opening on HB 301
6.3 Rep. Matt McClann, HD 92, Harlem

Proponents
8.6 Lance Helton, MSBA EXHIBIT 2
12.8 Don Waldron, MREA EXHIBIT 3

13.9 Judy Donnell-Lamb, Director, Special Needs EXHIBIT 4
17.1 Bill Cooper, OPI
Dick Chmerson, Dept. Schools, Harlem EXHIBIT 5

20.3 John McNair, Dept. Schools, Savage
21.3 Loran Prager, JAM

2

LEGISLATIVE TAPE LOG

COMMITTEE:

Private Education

DATE:

3/8/79

MINUTES

CONTENT NOTES

22.1 Proponents of HB 301 (Cont)
Eric Bealer, HEA/MFT EXHIBITS 6, 7, 8, 9

Opponents
EXHIBIT 10, 11¹² 32.5 Lynn Harris, Speech Pathologist Licenses BL
EXHIBIT 13 42.3 Teri Bean, " " " "

Site B
EXHIBIT 14, 15¹⁶ Linda Solomon " " " "
EXHIBIT 17, 18¹⁹ Sheila Skinner " " " "
7.5 EXHIBIT 19 Jeff Griffin " " " "
10.8 EXHIBIT 20 Kitty Griffin, Speech / Language Pathologist
Victorick Handberg, Mother
15.8 EXHIBIT 21 Carl Foke, Mother
EXHIBIT 22 Kathleen O'Leary, Mother
35.0 EXHIBIT 23 Arisnone Hallgren, Speech Pathologist, Adams

Questions from the Committee
37.4 Joe Ellington - Beaver
Wells & McCann
41.5 " - "

Page 2, Side A

	Ellington - Lynn Harris
2.0	" - " Link Solum
3.1	Blaser - McCann
	Blaser - L. Solum
	" - L. Solum ²
6.1	Towne - L. Harris
	Jim Smith, Speech Language & Hearing Assoc

LEGISLATIVE TAPE LOG

COMMITTEE:

Senate Education

DATE:

3/8/99

MINUTES

CONTENT NOTES

Questions From the Committee

Tolwa - L. Harris, also

Did Bachmiller Faculty at U of M

8.5

E

Tolwa - EXHIBIT 31
Did Bachmiller, U of M

Sprague - McCann

Plasor - L. Solam

Closing

10.5

Rep. Matt McCann

Opening on HB 125

(Plasor chaired)

14.0

Rep. Royal Johnson, HD 10, Bldg

Proponents

17.9

Faye Stege, State Librarian EXHIBIT 32

18.7

EXHIBIT 33 Jeanne Twerton, Librarian, Capital High, also

EXHIBIT 34 Kathy Mc Brown, ^{Briley} MT. Library Assoc
Ann Waldron, NREA

Opponents

None

Questions

21.6

Ellington - R. Johnson

Closing by Sponsor

22.7

5:07 p.m.

Adjournment

Testimony in Support of HB 125

My name is Janice Bradley. I am Director of the Lewistown Public Library. I am also Coordinator for the South Central Federation of Libraries.

I am here to speak in favor of HB 125.

As the Director of a rural library I favor the restrictions for Interlibrary loan reimbursement that are requested in this bill. Interlibrary loan is a very important service that we offer to our patrons and I don't want to see it jeopardized in any way. Protecting the pool of money for Interlibrary loan reimbursement so it does not frivolously get siphoned off is vitally important.

As a federation coordinator I support the modification to the definition of "Library Federation." In our wired world having federations only be for public libraries makes no sense. All libraries cooperate on every other front, why not here too?

Both as a Library Director and Federation coordinator I support the State Library Commission receiving rule making authority over all funds they receive on behalf of federations. It is confusing to have them in charge of the majority of the pool of money available to federations but not all of it. This change would bring continuity to the federation funding that is now not there.

Finally, as a coordinator I support the change that would require federations to submit an annual plan for the expenditure of state funds. This is actually what we do, and merely clarifies that in the law.

Thank you for your time.

March 8, 1999

TO: Members of the Senate Education and Cultural Resources Committee

FROM: Jeanne Tweeten, Librarian
Capital High School, Helena, MT

RE: Support for HB 125

As a public school librarian, I am especially supportive of the efforts in HB 125 to clarify eligibility for interlibrary loan reimbursement. The proposed amendment to MCA 22-1-328 stipulates that school libraries within the same school district would not apply for reimbursement from the statewide interlibrary loan program for the library materials they share among themselves. In the Helena School District, it has long been our practice to borrow and lend materials without claiming reimbursement of costs through the state interlibrary loan program. Many school districts already have active delivery systems for shipping supplies and instructional materials from school to school and building to building, thus eliminating postage costs.

The proposed change to the current law seeks to honor the spirit of cooperation that exists among all libraries across Montana. We can make requests for materials from libraries in Sidney or Plains with the confidence that it will not deplete their own budget to extend assistance to us. We lend to other schools in our district without charging or requesting reimbursement because it is the fiscally responsible thing to do.

I urge you to support the proposed amendments.

Testimony supporting HB 125

March 8, 1999

Karen Strege, State Librarian

In 1997, the State Library Commission formed a Law Revision Task Force to make recommendations regarding changes in Library Law to the Commission. The Task Force, composed of librarians, trustees, and city and county officials, considered needed changes in the statute creating the interlibrary loan or ILL program and the federation law and drafted the changes that you have before you.

Briefly, Section 1 makes minor changes in the state library's program that reimburses libraries for loans of materials to other Montana libraries.

The state library has 10 years of experience in administering this program. In this 10-year time, an inconsistency in the law has become apparent. We now reimburse, if asked, for loans between school libraries within the same school district or that share overlapping boundaries. Loans between libraries in the same district or jurisdiction are not generally considered to be interlibrary loans. However, current law requires the State Library to reimburse for these types of loans.

So, the task force set out to clarify the law and to forestall any future confusion by adding a third subsection to 22-1-1328 that defines which types of loans are not eligible for reimbursement. These are:

1. Loans between libraries within the same school district - for example, Central Elementary could not lend materials to Jefferson Elementary in Helena and

receive reimbursement.

2. Loans between an elementary school library and a high school library with overlapping school district boundaries - that is Helena High would not be reimbursed for loans to Jefferson Elementary.
3. Loans between libraries in one public library system.
4. Loans between college libraries that are administered by the same library. For example, if the college at Western had a main library and a branch art library all administered by the same dean, loans between the libraries would not be reimbursed.

The other sections of this bill concern library federations. Federations are organizations of public libraries and there are six federations in Montana. An advisory board consisting of public library trustees governs federations.

Section Two addresses rule-making authority for the commission over the base grants to federations. Currently, library federations receive a \$1,000 grant in state funds for each public library member. The Commission's attorney has stated often that the Commission does not have rule-making authority for these base grants although the Commission has rule making authority for all other forms of state aid to libraries. We believe that this is an oversight in the law and should be remedied by Section 2. The commission would most likely adopt reporting rules concerning these grants and in fact, Federations voluntarily provide this information now.

The Task Force also recommended to the Commission that Federation

membership should be open to any type of library. In this day of scarce resources, we should encourage all types of libraries to cooperate. Federation membership would be voluntary. This change is in Section 3 of the bill.

If the membership changes in federations, then the governing structure should also change. Rather than list complex sets of procedures in the law, the Task Force decided that the Library Commission should have the authority to set rules for the composition of the advisory boards based on the needs of the federations. This is stated in Section 4 of the bill.

Section 5 places in law a current Commission practice of requiring Federations to plan for the expenditure of state funds. Federations recognize that this is a good practice and do so now voluntarily. In conclusion, the state library commission and the law revision task force ask you to support these changes in the law. I would be happy to answer any questions from the committee.

DATE _____

3/17/99

[illegible]



SENATE STANDING COMMITTEE REPORT

March 18, 1999

Page 1 of 1

Mr. President:

We, your committee on Education and Cultural Resources report that House Joint Resolution 20 (third reading copy -- blue) be concurred in.

Signed: _____

Daryl Toews
Senator Daryl Toews, Chair

To be carried by Senator Debbie Shea

- END -

Committee Vote:
Yes 6, No 2.

610956SC.sjo



SENATE STANDING COMMITTEE REPORT

March 18, 1999

Page 1 of 1

Mr. President:

We, your committee on Education and Cultural Resources report that House Joint Resolution 21 (third reading copy -- blue) be concurred in.

Signed: _____

Daryl Toews
Senator Daryl Toews, Chair

To be carried by Senator Mike Sprague

- END -

Committee Vote:
Yes 7, No 1.

SA

610957SC.sjo



SENATE STANDING COMMITTEE REPORT

March 24, 1999

Page 1 of 2

Mr. President:

We, your committee on Education and Cultural Resources report that House Bill 71 (third reading copy -- blue) be concurred in as amended.

Signed: _____

Daryl Toews
Senator Daryl Toews, Chair

To be carried by Senator Alvin Ellis

And, that such amendments read:

1. Title, page 1, line 7.

Strike: "96"

Insert: "94"

2. Title, page 1, lines 8 and 9.

Following: "GREATER;"

Insert: "ALLOWING ADOPTION OF A GENERAL FUND BUDGET THAT EXCEEDS THE MAXIMUM GENERAL FUND BUDGET FOR A MAXIMUM OF 5 CONSECUTIVE YEARS; PROVIDING AN EXCEPTION REQUIRING A SCHOOL DISTRICT WHOSE BUDGET EXCEEDS THE MAXIMUM GENERAL FUND BUDGET BECAUSE THE AVERAGE NUMBER BELONGING DECLINES 30 PERCENT OR MORE TO REDUCE ITS GENERAL FUND BUDGET PROPORTIONATELY OVER 5 CONSECUTIVE YEARS; ELIMINATING THE PROVISION FOR TRUSTEES TO ADOPT A BUDGET BASED ON THE PREVIOUS YEAR'S GENERAL FUND BUDGET PER-ANB;"

Strike: "SECTIONS" on line 8

Insert: "SECTION"

Strike: "AND 20-9-353"

Strike: "PROVIDING" on line 8 through ";" on line 9

3. Page 2, lines 13 and 14.

Following: the second "amount" on line 13

Strike: remainder of line 13 through "purposes" on line 14

4. Page 2, line 26.

Following: "(a)"

Committee Vote:

Yes 11, No 0.

660853SC.sjo

Strike: "The"

Insert: "(i) Except as provided in subsections (3)(a)(ii) and (3)(a)(iii), the"

5. Page 2, line 28.

Strike: "96%"

Insert: "94%"

6. Page 2, line 29.

Following: "greater."

Insert: "A school district may adopt a budget under the criteria of this subsection (3) for a maximum of 5 consecutive years.

(ii) The trustees of a district whose general fund budget was above the maximum general fund budget established by Chapter 30, Special Laws of November 1993, may continue to adopt a general fund budget in each ensuing school fiscal year that exceeds the district's maximum general fund budget but does not exceed the district's general fund budget for the current school fiscal year.

(iii) A school district whose current budget exceeds the ensuing year's maximum budget and whose current year ANB exceeds the ensuing year's ANB by 30% or more shall reduce its adopted budget by:

(A) in the first year, 20% of the range between the district's adopted general fund budget for the current fiscal year and the maximum general fund for the ensuing school fiscal year;

(B) in the second year, 25% of the range between the district's adopted general fund budget for the current school fiscal year and the maximum general fund budget for the ensuing school fiscal year;

(C) in the third year, 33.3% of the range between the district's adopted general fund budget for the current fiscal year and the maximum general fund budget for the ensuing school fiscal year;

(D) in the fourth year, 50% of the range between the district's adopted general fund budget for the current fiscal year and the maximum general fund budget for the ensuing school fiscal year; and

(E) in the fifth year, the remainder of the range between the district's adopted general fund budget for the current fiscal year and the maximum general fund budget for the ensuing school fiscal year."

7. Page 3, line 18 through page 5, line 16.

Strike: sections 2 and 3 in their entirety

Renumber: subsequent section



SENATE STANDING COMMITTEE REPORT

March 18, 1999

Page 1 of 1

Mr. President:

We, your committee on Education and Cultural Resources report that House Bill 125 (third reading copy -- blue) be concurred in.

Signed: _____

Senator Daryl Toews, Chair

To be carried by Senator Bill Glaser

- END -

Committee Vote:
Yes 8, No 0.

SM

610958SC.sjo



SENATE STANDING COMMITTEE REPORT

March 19, 1999

Page 1 of 2

Mr. President:

We, your committee on Education and Cultural Resources report that House Bill 301 (third reading copy -- blue) be concurred in as amended.

Signed:


Senator Daryl Toews, Chair

To be carried by Senator John Hertel

And, that such amendments read:

1. Title, page 1, line 6.
Strike: "AND AUDIOLOGISTS"

2. Title, page 1, line 8.
Strike: "OR AUDIOLOGIST"

3. Page 1, line 22.
Strike: "pathology- or audiology-related"
Insert: "pathology-related"

4. Page 1, line 26.
Following: "application"
Insert: "that resulted in the offer and acceptance of employment"

5. Page 2, line 3.
Following: "WHO"
Strike: "PLEDGES" through "MEETING"
Insert: "can show written proof of ongoing enrollment in a program of study that would meet"

6. Page 2, line 14.
Following: "SERVICE,"
Insert: "the American speech-language-hearing association employment placement service,"

Committee Vote:
Yes 8, No 3.

621632SC.sjo

March 19, 1999

Page 2 of 2

7. Page 2, line 15 through line 18.

Following: "NEWSPAPER."

Strike: remainder of line 15 through "(2) (b) (iii)." on line 18

8. Page 4, line 15.

Strike: "or audiologists"

- END -



SENATE STANDING COMMITTEE REPORT

March 18, 1999

Page 1 of 1

Mr. President:

We, your committee on Education and Cultural Resources report that House Bill 348 (third reading copy -- blue) be concurred in as amended.

Signed:

Daryl Toews
Senator Daryl Toews, Chair

To be carried by Senator Jack Wells

And, that such amendments read:

1. Title, page 1, lines 4 and 5.

Following: "ACT" on line 4

Strike: remainder of line 4 through "MEET;" on line 5

2. Page 1, line 17.

Following: "~~district,~~"

Insert: "in first class elementary districts, not less than one
regular meeting each month; or
(d) in any other district,"

3. Page 1, line 20.

Following: "~~(1)(d)~~"

Insert: "or (1)(d)"

- END -

Committee Vote:

Yes 11, No 0.

611003SC.sjo



SENATE STANDING COMMITTEE REPORT

March 18, 1999

Page 1 of 1

Mr. President:

We, your committee on **Education and Cultural Resources** report that **House Bill 509** (third reading copy -- blue) be concurred in.

Signed:

[Signature]
Senator Daryl Toews, Chair

To be carried by Senator Fred Thomas

- END -

Committee Vote:
Yes 10, No 1.

610959SC.sjo

ST

TABLED BILL REPORT

SENATE COMMITTEE Education

TABLED BILL(S) SB 442

DATE 3/17/98

<u></u>	<u>4891</u>	<u>442</u>
COMMITTEE SECRETARY	PHONE	ROOM

TABLE.F12

DATE 3/17/99 BILL NO. HJR 20 NUMBER 1
MOTION: HJR 20 Be Concurred In

[illegible]

DATE 3/17/99 BILL NO. HB 301 NUMBER 2
MOTION: HB 301 As Amended Be Concurred In

[illegible]

DATE 3/17/99 BILL NO. HB 71 NUMBER # 3

HB 007103. aem

[illegible]

DATE 3/17/99 BILL NO. HB 71 NUMBER #4
MOTION: Ellis Amendment HB 007105.cem

[illegible]

LEGISLATIVE TAPE LOG

COMMITTEE:

Senate Education

DATE:

3/17/99

MINUTES

3:19 p.m.

CONTENT NOTES

Executive Action

[HJR 20]

Shea - be Concurred In

BCI 6-2 Roll Call Vote #1

Shea - Carry

5.0

[HJR 21]

Sprague BCI 7-1 Ellis No

Sprague - Carry

6.2

[HB 125]

Glaser - BCI - Unanimous Vote 8-0

Glaser - Carry

8.1

[HB 236]

Ellis - BCI

EXHIBIT 1

" - Amendments HB 23601.2 en BCI
Unanimous 8-0

Withdrew motion - act on it later

19.1

[HB 301]

EXHIBIT 2

Heston - Amendments HB 30101.2 en

Unanimous 11-0

File B

Hestel - HB 301 BCI

Conceptual Amendment by Trows

Kells - BCI 11-0

BCI AA Roll Call Vote #2

8-3

Hestel Carry

LEGISLATIVE TAPE LOG

COMMITTEE:

Senate Education

DATE:

3/17/99

MINUTES

CONTENT NOTES

HB 348

BCI

Waterman moved Amendment HB 034801. com.

Wells - HB 348 BCI AA

EXHIBIT 3

Unanimous 11-0

Wells Carry

HB 509

6.2

Ellis - HB 509 BCI 10-1

F. Thomas Carried

HB 442

Strong - TABLED

Unanimous - 11-0

14.2

~~HB 460~~ HB 71, HB 103

Tabiano EXHIBITS 4

During discussion of HB 71
Waterman - CI-75 language be removed from any bill today - Unanimous 11-0

HB 71

EXHIBIT 5 Iowa Amendment HB 007103. com. BCI 7-4

EXHIBIT 6 Ellis Amendment HB 007105. com. BCI 6-5

13.1 EXHIBIT 7 Strong Amendment HB 007107. com. BCI 11-0

Ellis - HB 71 BCIAA 11-0

Ellis - Carry

5:11

Adjournment

19.5 Discussion on HB 584

M. Quinlan

EXHIBIT 8

Waterman - Quinlan

5:15 p.m.

Adjournment